

Remarks

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

Applicants submit that the Groups I, II and III claims are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of Groups I, II and III claims in different classes and subclasses is not necessarily sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I, II and III, a separate examination of the claims in Groups I, II and III would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I, II and III would have to be as rigorous as when only the claims of Group II were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I, II and III, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Furthermore, Applicants provisionally elect the Species A described by claim 42.

The claims which read on the elected species are 40, 41, and 42. Claim 40, 41, and 45-48 are generic to the elected species.

If claim 40 is found allowable, claim 43-44 of the non-elected species should also be allowed, because claim 40 is generic to these claims, and claims 43-44 depend from claim 40.

The requirement for election of species is traversed, and reconsideration is respectfully requested. It is felt that a search of the classes appropriate to the elected species and claims 40-42 would include the Patent Office classes in which the non-elected species and claims 40, 43-44 would be searched, as each claim group requires a crosslinkable polymer.

It is respectfully urged that the claims now pending before the Examiner are in condition for allowance. A notification of allowability is respectfully solicited.

Should the Examiner determine that a telephone interview would be beneficial in resolving any of the issues in this case, the Examiner is invited to telephone the undersigned attorney at the telephone number noted below.

Conclusion

Applicants have elected Group II, Species A. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

Date By: /Yen Tong Florczak/

Yen Tong Florczak, Reg. No.: 45,163
Telephone No.: 651-737-0710

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833